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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDERSON KILL & OLICK, P.C.,

Plaintiff,

- against -

BRAY & GILLESPIE, INC.; BRAY &
GILLESPIE MANAGEMENT, LLC;
CHARLES A. BRAY and JOSEPH
GILLESPIE

Defendants.

Index No. 1:08-cv-4565 (AKH) (RLE)

**PLAINTIFF'S CROSS-MOTION FOR
PARTIAL SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of plaintiff Anderson Kill & Olick, P.C.'s Cross-Motion for Partial Summary Judgment, the accompanying affidavits of Michael J. Lane, Esq., and Harold W. Lueken, the exhibits attached thereto, and all papers and proceedings had herein, plaintiff Anderson Kill & Olick, P.C., by and through his attorneys, Anderson Kill & Olick, P.C., will and hereby does move this Court, before the Honorable Alvin K. Hellerstein, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for an order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, awarding it partial summary judgment with respect to its Fifth Cause of

Action in its complaint for: account stated, together with such other, further and different relief as this Court deems just, proper and equitable.

Dated: New York, New York
July 1, 2008

ANDERSON KILL & OLICK, P.C.

By: /S/ JEFFREY E. GLEN
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